

COPY

No. 70349

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 25 2003 NEW PRIORITY DATE: OCT 22 2009

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 25 2003

The applicant Rockview Dairies Inc. hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. Incorporated March 28, 1968, in the State of California, ID #543153

1. The source of the proposed appropriation is an underground source in Nye County, Nv
2. The amount of water applied for is 0.11 CFS., not to exceed 5 AFA. second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for Quasi-Municipal and Domestic purposes
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") Item 12
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point within the NW.¼ SW.¼ of Section 9, T. 17S., R. 49E., M.D.M., or at a point from which the SW. corner of said Section 9 bears S. 00°09' 26" E., a distance of 1740 feet
6. Place of Use 5 acres within the W.¼ NW¼ NW¼ SW¼ of Section 9, T. 17 S., R. 49 E., M.D.M.
7. Use will begin about January 1 and end about December 31 of each year.
8. Description of proposed works An 8 in. dia. X approximately 200 ft. deep driven well with a 5 hp. submersible pump, pipe and wire
9. Estimated cost of works \$7500
10. Estimated time required to construct works 2 years
11. Estimated time required to complete the application of water to beneficial use 4 years
12. Remarks: This water is intended to be used to serve five mobile homes for employee housing at the Ponderosa Dairy

Lisle Lowe
By s/Lisle Lowe (agent)
HCR. 69, Box 400 E
Amargosa Valley, Nv, 89020

Compared bmw/cmf ag/cmf
Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this quasi-municipal permit is good for five residential units within the described place of use. Any future attempt to change the place of use of this permit will be denied.

If any water under this permit is canceled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.11 cubic feet per second, but not to exceed 5.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:
June 9, 2006

Proof of completion of work shall be filed on or before:
July 9, 2006

Water must be placed to beneficial use on or before:
June 9, 2009

Proof of the application of water to beneficial use shall be filed on or before:
July 9, 2009

Map in support of proof of beneficial use shall be filed on or before:
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of June, A.D. 2004


State Engineer


Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

~~CANCELLED~~ AUG 25 2009 ~~BECAUSE OF FAILURE~~
~~OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

~~ STATE ENGINEER~~
~~Can. Rescinded 6-4-2010~~